

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

Case No. 05-80386

vs.

HON. GEORGE CARAM STEEH

D-1 RONNIE GLENN STOCKTON, JR.
D-6 ROBERT EARL VINSON,

Defendants.

_____ /

ORDER DENYING DEFENDANT STOCKTON'S MOTION TO SEVER

This matter was before the court on September 20, 2005, for argument on defendant Stockton's motion to sever. For the reasons stated on the record, Stockton's motion to sever is hereby DENIED. The parties are instructed to fashion an appropriate curative instruction as discussed on the record.

At argument, counsel advised the court of a recently disclosed report describing a statement made by co-defendant Lambert to the effect that he was given instructions by defendant Stockton of an incriminating nature.¹ The court indicated that in the event the statement is deemed admissible and is to be offered by the government at trial, the

¹ In this discussion, Stockton's counsel indicated that he anticipated filing a motion to suppress this statement, on the basis that the discovery deadline was not met by the government. As the court indicated on the record, any motion made on this basis would likely result in giving defendant more time, if necessary, to prepare to defend the new information.

confrontation rights of Stockton would be implicated, and either severance or a separate jury would be required.

IT IS SO ORDERED.

S/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

Dated: September 20, 2005

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on September 20, 2005, by electronic and/or ordinary mail.

S/Josephine Chaffee
Secretary/Deputy Clerk